

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

REUBEN HENRY,)	
)	
Plaintiff,)	
)	Civil Action No. 10-189 Erie
v.)	
)	
DEPUTY SUPERINTENDENT)	
OVERMYER, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

This civil rights action was received by the Clerk of Court on August 5, 2010 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's oral Report and Recommendation entered on the record on August 17, 2011 [Docket Entry dated August 17, 2011] and [ECF No. 53, Minute Entry], recommended that Plaintiff's motion for preliminary injunction and motion for temporary restraining order [ECF No. 41] be denied. The parties were allowed fourteen (14) days from the date of service to file objections. Plaintiff filed objections [ECF No. 54] on August 26, 2011. After de novo review of the documents in the case, the transcript of the proceedings [ECF No. 56], the oral Report and Recommendation, and the objections thereto, the following order is entered:

AND NOW, this 13th day of September, 2011;

IT IS HEREBY ORDERED that the Plaintiff's motion for preliminary injunction and motion for temporary restraining order [ECF No. 41] is DENIED.

The oral Report and Recommendation of Magistrate Judge Baxter entered on the record on August 17, 2011 is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge